

12-22-04

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JW

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
65858-0021

First named inventor: Michael E. Farmer

Application No: 10/625,208

Art Unit: N/A

Filed: July 23, 2003

Examiner: Not Yet Assigned

Title: SYSTEM OR METHOD FOR CLASSIFYING IMAGES

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in  
the form of Response to Notice to File Missing Parts (identify type of reply):☐ has been filed previously on \_\_\_\_\_.☒ is enclosed herewith.

B. The issue fee of and publication fee (if required) \$ \_\_\_\_\_.

☐ has been paid previously on \_\_\_\_\_.☐ is enclosed herewith.

12/23/2004 12ND04F1 00000006 180013 10625208

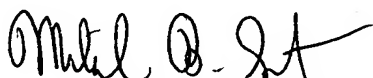
02 FC:1453

1500.00 DA

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].



Signature

December 21, 2004

Date

Michael B. Stewart

Typed or printed name

36,018

Registration Number, if applicable

RADER, FISHMAN & GRAUER PLLC  
39533 Woodward Avenue  
Suite 140  
Bloomfield Hills, Michigan 48304

Address

(248) 594-0633

Telephone Number

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: \_\_\_\_\_

Page 2 of 2

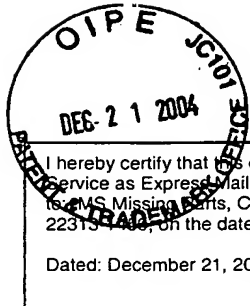
## Petition to Revive Application Unintentionally Abandoned

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 970866264 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 21, 2004

Signature: 

(Alisa M. Haggemo)



Docket No.: 65858-0021  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael E. Farmer et al.

Application No.: 10/625,208

Filed: July 23, 2003

Art Unit: N/A

For: SYSTEM OR METHOD FOR CLASSIFYING  
IMAGES

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed December 1, 2003, Applicant respectfully submits the enclosed Petition Pursuant to 37 CFR 1.47 Involving the Refusal of Co-Inventors to Execute the Power of Attorney along with associated exhibits. Finally, Applicant is also filing herewith a Petition for Revival of an Application for Patent Abandoned Unintentionally.

Please charge our Deposit Account No. 18-0013 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-0013, under Order No. 65858-0021. A duplicate copy of this paper is enclosed.

Dated: December 21, 2004

Respectfully submitted,

Telephone No. (248) 594-0633

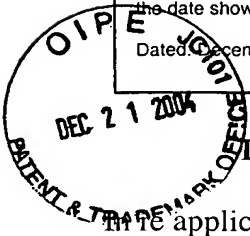
By Michael B. Stewart  
Michael B. Stewart, Reg. No. 36,018  
RADER, FISHMAN & GRAUER PLLC  
39533 Woodward Avenue, Suite 140  
Bloomfield Hills, Michigan 48304  
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 970866264 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 21, 2004 Signature: Alisa M. Haggemo

(Alisa M. Haggemo)

Docket No.: 65858-0021  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE application of: FARMER et al.

Serial No.: 10/625,208

Group Art Unit: Unknown

Filed: 07/23/2003

Examiner: Unknown

For: SYSTEM OR METHOD FOR CLASSIFYING IMAGES

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313

**PETITION**

**PURSUANT TO 37 CFR 1.47 INVOLVING THE REFUSAL  
OF CO-INVENTORS TO EXECUTE THE POWER OF ATTORNEY**

Pursuant to 37 CFR 1.47, counsel for the inventors makes the above-identified Petition according to the following facts:

1. The Patent Office issued A Notice to File Missing Parts of Nonprovisional Application—Filing Date Granted, on December 1, 2003. A copy of the Notice is attached as Exhibit A.
2. As of today's date, all of the necessary Power of Attorney documents have not been executed Michael Farmer or Xunchang Chen.
3. At the time that the above-identified application was filed, Eaton Corporation employed Messrs. Farmer and Chen. Sometime after the application was filed, Messrs. Farmer and Chen ceased their employment with Eaton Corporation.
4. Upon information and belief, in-house counsel for Eaton Corporation attempted to obtain the signatures of the inventors, but was unable to do so.
5. On December 7, 2004, the undersigned made a final attempt to secure the inventor signatures by sending a letter and additional copies of the Declaration and Power of Attorney and Assignment via Federal Express delivery as well as enclosing a prepaid Federal

Express label and envelope for return of the documents. A copy of the letters sent is attached as Exhibit B. No response has been received from the inventors.

6. On October 25, 2004, Applicant received a Notice of Abandonment dated October 21, 2004. A copy of the Notice is attached as Exhibit C.

7. The undersigned hereby makes application as agent for and on behalf of Eaton Corporation who employed by Messrs. Farmer and Chen at the time of filing of the application.

37 CFR 1.47(b) notes that "Whenever all of the inventors refuse to execute an application for patent, or cannot be found or reached after diligent effort, a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, may make application for patent on behalf of and as agent for all the inventors.". In view of the facts noted above, it is respectfully submitted that diligent effort has been made to provide the non-signing inventors with the necessary document.

Therefore, in view of the foregoing statements and accompanying exhibits, it is respectfully submitted that a proper showing has been made pursuant to 37 CFR 1.47 to address the Notice to File Missing Parts.

Respectfully submitted,

Date: December 21, 2004

Customer No. 010291

Telephone No. (248) 594-0600

R0275620.DOC

By: Michael B. Stewart  
Michael B. Stewart, Esq. (36,018)  
Rader, Fishman and Grauer PLLC  
39533 Woodward Ave., Suite 140  
Bloomfield Hills, Michigan 48304  
Attorneys for Applicants



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/625,208
	Filing Date	July 23, 2003
	First Named Inventor	Michael E. Farmer
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	65858-0021

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition (two separate Petitions) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	RADER, FISHMAN & GRAUER PLLC		
Signature			
Printed name	Michael B. Stewart		
Date	December 21, 2004	Reg. No.	36,018

**Transmittal**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 970866264 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 21, 2004

Signature:

(Alisa M. Haggemo)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/625,208	07/23/2003	Michael E. Farmer	65858-0021

CONFIRMATION NO. 8372

## FORMALITIES LETTER



\*OC000000011385301\*

10291  
 RADER, FISHMAN & GRAUER PLLC  
 39533 WOODWARD AVENUE  
 SUITE 140  
 BLOOMFIELD HILLS, MI 48304-0610

Date Mailed: 12/01/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

12/23/2004 AWONDAF1 00000006 180013 10625208

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

R. Negru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**RADER,**

**FISHMAN**

**& GRAUER**

PLLC

39533 Woodward Avenue  
Suite 140  
Bloomfield Hills, Michigan 48304  
Tel: (248) 594-0600  
Fax: (248) 594-0610

Michael B. Stewart  
(248) 594-0633  
mbs@raderfishman.com

**VIA FEDERAL EXPRESS**

December 7, 2004

Michael Farmer  
6711 Ridgeview Drive  
Independence Township, MI 48346-4461

Re: U.S. Patent Application No. 10/625,208 for SYSTEM OR METHOD FOR  
CLASSIFYING IMAGES  
Filed: July 23, 2003  
Inventor: Michael E. Farmer, et al.  
Eaton No. 02-rASD-161; Our File No.: 65858-0021

Dear Michael:

As you know, we prepared and filed the above-identified patent application on which you are named as an inventor (a copy of the application is enclosed for your records).

Since you are a named inventor on this application, the U.S. Patent and Trademark Office requires that you sign a combined declaration and power of attorney regarding this application. As part of your previous employment with Eaton Corporation, and the fact that the invention was developed while you were with Eaton Corporation, we also need you to sign an assignment, formally transferring rights to the invention. We enclose copies of these papers for your signature. Your signature on the assignment must be witnessed by two people. Once the papers have been fully executed, please return them to our office. We have enclosed a self-addressed, stamped Federal Express envelope for the return of the papers. We kindly ask that you send the executed papers back to our office by **December 13, 2004**, for filing with the U.S. Patent and Trademark Office. We apologize for the short notice and believe you may have seen these papers before.

Of course, as an inventor, your name will appear on any issued patent. We would be happy to send you a copy of any such patent when it issues.

**RADER,**

**FISHMAN**

**& GRAUER**

**PLLC**

Michael Farmer  
December 7, 2004  
Page 2

Thank you for your cooperation and prompt attention to this matter. Please contact us if you have any questions.

Very truly yours,

**RADER, FISHMAN & GRAUER PLLC**

A handwritten signature in black ink, appearing to read "Michael B. Stewart", is positioned above the printed name.

Michael B. Stewart

MBS/amh  
Enclosures

R0274022.DOC

**RADER,**

**FISHMAN**

**& GRAUER**

PLLC

39533 Woodward Avenue  
Suite 140  
Bloomfield Hills, Michigan 48304  
Tel: (248) 594-0600  
Fax: (248) 594-0610

Michael B. Stewart  
(248) 594-0633  
mbs@raderfishman.com

**VIA FEDERAL EXPRESS**

December 7, 2004

Xunchang Chen  
307 S Division St  
Ann Arbor, MI 48104-2203

Re: U.S. Patent Application No. 10/625,208 for SYSTEM OR METHOD FOR  
CLASSIFYING IMAGES

Filed: July 23, 2003

Inventor: Michael E. Farmer, et al.

Eaton No. 02-rASD-161; Our File No.: 65858-0021

Dear Mr. Chen:

As you know, we prepared and filed the above-identified patent application on which you are named as an inventor (a copy of the application is enclosed for your records).

Since you are a named inventor on this application, the U.S. Patent and Trademark Office requires that you sign a combined declaration and power of attorney regarding this application. As part of your previous employment with Eaton Corporation, and the fact that the invention was developed while you were with Eaton Corporation, we also need you to sign an assignment, formally transferring rights to the invention. We enclose copies of these papers for your signature. Your signature on the assignment must be witnessed by two people. Once the papers have been fully executed, please return them to our office. We have enclosed a self-addressed, stamped Federal Express envelope for the return of the papers. We kindly ask that you send the executed papers back to our office by **December 13, 2004**, for filing with the U.S. Patent and Trademark Office. We apologize for the short notice and believe you may have seen these papers before.

Of course, as an inventor, your name will appear on any issued patent. We would be happy to send you a copy of any such patent when it issues.

**RADER,**

**FISHMAN**

**& GRAUER**

**PLLC**

Xunchang Chen  
December 7, 2004  
Page 2

Thank you for your cooperation and prompt attention to this matter. Please contact us if you have any questions.

Very truly yours,

**RADER, FISHMAN & GRAUER PLLC**

A handwritten signature in black ink, appearing to read "Michael B. Stewart", with a stylized flourish at the end.

Michael B. Stewart

MBS/amh  
Enclosures

R0274023.DOC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM OR METHOD FOR CLASSIFYING IMAGES**

the specification of which was filed on July 23, 2003 as U.S. Patent Application No. 10/625,208.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

## CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___

## CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Michael B. Stewart	36,018
Loren H. Uthoff, Jr	31,673
Roger A. Johnston	25,880
Kevin M. Hinman	35,193

I hereby appoint the practitioner(s) associated with **Customer Number 10291** to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

Please mail all correspondence to Michael B. Stewart, whose address is:

**Rader, Fishman & Grauer PLLC**  
 39533 Woodward Avenue  
 Suite 140  
 Bloomfield Hills, Michigan 48304

Please direct telephone calls to: Michael B. Stewart at (248) 594-0633.

Please direct facsimiles to: (248) 594-0610

Full name of sole or first inventor <b>Michael E. Farmer</b>	
Sole or first inventor's signature	Date
Residence <b>Independence Township, Michigan</b>	
Citizenship <b>US</b>	
Mailing Address <b>6711 Ridgeview Drive Independence Township, MI 48346-4461</b>	

Full name of second inventor, if any <b>Xunchang Chen</b>	
Second inventor's signature	Date
Residence <b>Ann Arbor, Michigan</b>	
Citizenship <b>China</b>	
Mailing Address <b>307 S. Division Street Ann Arbor, MI 48104-2203</b>	

## **ASSIGNMENT BY INVENTORS**

**THIS ASSIGNMENT**, made by Michael E. Farmer and Xunchang Chen (hereinafter referred to as Assignors), residing at 6711 Ridgeview Drive, Independence Township, MI 48346-4461; and 307 S Division Street, Ann Arbor, MI 48104-2203, respectively;

**WHEREAS**, Assignors have invented certain new and useful improvements in **SYSTEM OR METHOD FOR CLASSIFYING IMAGES**, set forth in a Patent application for Letters Patent of the United States, already filed on July 23, 2003 as U.S. Patent Application No. 10/625,208; and

**WHEREAS**, Eaton Corporation, a Corporation organized under and pursuant to the laws of Ohio having its principal place of business at Eaton Center, 1111 Superior Avenue, Cleveland, Ohio 44114-2584 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.



**AND** for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

AND Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

RADER, FISHMAN & GRAUER PLLC

All practitioners at Customer Number 10291 and Michael B. Stewart, 36,018; Loren H. Uthoff, Jr., 31,673; Kevin M. Hinman, 35,193; and Roger A. Johnston, 25,880

AND Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael E. Farmer

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Xunchang Chen

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

R0197060



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO TITLE
10/625,208 ✓	07/23/2003 ✓	Michael E. Farmer ✓	65858-0021

CONFIRMATION NO. 8372

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014160796\*

10291  
 RADER, FISHMAN & GRAUER PLLC  
 39533 WOODWARD AVENUE  
 SUITE 140  
 BLOOMFIELD HILLS, MI 48304-0610

Date Mailed: 10/21/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/01/2003.

- No reply was received.

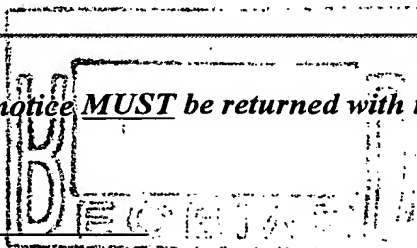
A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/625,208	07/23/2003	Michael E. Farmer	65858-0021

CONFIRMATION NO. 8372

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014160796\*

10291  
 RADER, FISHMAN & GRAUER PLLC  
 39533 WOODWARD AVENUE  
 SUITE 140  
 BLOOMFIELD HILLS, MI 48304-0610

Date Mailed: 10/21/2004

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Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

### Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 12/01/03.

#### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

#### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.